



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi, et al. Docket No.: 39780-2730P1C68
Serial No.: 09/989,733 Group Art Unit: 1647
Filing Date: November 20, 2001 Examiner: DeBerry, Regina

For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME**

Express Mail Label No.: EL 992 478 933 US

Mailing Date: July 22, 2005

NOTICE OF APPEAL

Mail Stop AF

Commissioner for Patent
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated February 23, 2005 of the Primary Examiner finally rejecting Claims 119-124, 129-131 and 135-138. The item(s) marked below are appropriate:

- Filing Fee:**
- \$500.00 (large entity)
- Time Extension Fee (if applicable):**
- two months (\$450.00/large entity)
- The Commissioner is authorized to charge filing fee, additional fees or credit overpayment to Deposit Account No. 08-1641 (39780-2730P1C68).

Date: July 22, 2005

Daphne Reddy
Daphne Reddy
Reg. No. 53,507

HELLER EHRLICH, LLP
Customer No. 35489
275 Middlefield Road
Menlo Park, California 94025
Telephone: (650) 324-7000
Facsimile: (650) 324-0638

07/26/2005	EFLORES	00000056	081641	09989733
01	FC:1252	450.00	DA	
02	FC:1401	500.00	DA	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL****for FY 2005**

Effective 1/08/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 950.00)**Complete if Known**

Application Number	09/989,733
Filing Date	November 20, 2001
First Named Inventor	Ashkenazi, et al.
Examiner Name	DeBerry, Regina
Art Unit	1647
Attorney Docket No.	39780-2730P1C68

METHOD OF PAYMENT (check one) Check Credit card Money Order Other None Deposit Account:Deposit Account Number **08-1641** (Docket No. 39780-2730P1C68)Deposit Account Name **Heller Ehrman White & McAuliffe LLP**

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
- Charge any additional fee(s) during the pendency of this application
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	450.00
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	500.00
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460		1460		Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

SUBTOTAL (1) **(\$)**

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	[] x [] = []	[]
Independent Claims	-3** =	[] x [] = []	0

Multiple Dependent	Fee Description
	Claims in excess of 20
1202	50
2202	25
1201	200
2201	100
1203	360
2203	180
1204	200
2204	100
1205	50
2205	25
	Independent claims in excess of 3
	Multiple dependent claim, if not paid
	**Reissue independent claims over original patent
	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **(\$)**

**or number previously paid, if greater; For Reissues, see above

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$950.00)

SUBMITTED BY

Name (Print/Type)	Daphne Reddy	Registration No. (Attorney/Agent)	53,507	Telephone	650-324-7000
Signature	Daphne Reddy	Date	July 22, 2005	Customer No.	35489

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.